

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

GARY W. SWIM, JR.,

Plaintiff,

Case No.: 3:19-cv-222

vs.

COMMISSIONER  
OF SOCIAL SECURITY,

Magistrate Judge Michael J. Newman  
(Consent Case)

Defendant.

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**ORDER AND ENTRY: (1) GRANTING THE JOINT MOTION FOR REMAND (DOC. 14); (2) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER PROCEEDINGS; (3) ORDERING THE ENTRY OF JUDGMENT REMANDING THIS CASE ACCORDINGLY; AND (4) TERMINATING THIS CASE ON THE COURT'S DOCKET**

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This Social Security disability benefits appeal is presently before the Court on the parties' joint motion to remand this case to the Commissioner for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g). Doc. 14. For good cause shown, and absent opposition, **IT IS ORDERED THAT:** (1) the ALJ's non-disability finding is found unsupported by substantial evidence, and the parties' joint motion for a remand (doc. 14) is **GRANTED**; (2) this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for further proceedings; and (3) this case is **TERMINATED** upon the Court's docket. The Clerk is **ORDERED** to enter judgment accordingly.

**IT IS SO ORDERED.**

Date: February 12, 2020

s/ Michael J. Newman  
Michael J. Newman  
United States Magistrate Judge